

State of Montana
Division of Banking and Financial Institutions
P.O. Box 200546
Helena, MT 59620-0546
Phone: (406) 841-2920 Fax: (406) 841-2930

COMPLAINT

WHEN should I file a complaint with the Division?

Before filing a complaint with the division, consumers are encouraged to try to resolve the dispute themselves. We have found that complaints can normally be resolved if the consumer contacts the business directly. If you have not already done so, please contact the office manager of the business and attempt to resolve the problems yourself. If direct contact is unsuccessful, or if you're dissatisfied with the results, please complete the complaint form and send it to the division. Your complaint will be promptly acknowledged, and you will be advised of any action we take.

IMPORTANT ITEMS FOR YOU TO CONSIDER BEFORE FILING A COMPLAINT

The Division can only act on violations of laws, rules, and regulations by businesses regulated by the Division.

The Division cannot give you legal advice, nor can we recommend an attorney to you.

The Division cannot pursue legal redress on your behalf. You should always contact a private attorney who can advise you of your rights.

The Division will not handle a complaint that is in litigation or if an attorney has been retained nor will the Division act on behalf of either party to the dispute.

QUESTIONS ???

For additional consideration

What if we don't have authority? In situations where the Division determines that it does not hold authority to investigate, we will either refer your complaint to the appropriate authority, or reject your complaint with an explanation. If you do not understand our rejection or referral, please call the number below for a more detailed explanation. In some cases, the Division may initially believe that it holds jurisdiction over the issues raised but upon further investigation determines that it does not. You will be informed of any such determination and again may call the department for clarification.

How does the process work? You, the consumer, will be referred to as "consumer" throughout the investigation and resolution. Upon receipt of your complaint, the information is logged into our complaint database and notification of receipt is sent to you. If the Division needs additional

information, we will contact you and make a request. If you provide accurate initial information, it will make the process more efficient.

The Division next notifies the business you have complained against that you have filed a complaint, provides a copy of your complaint and any attached information, and instructs the business to provide information within 30 days.

Once the business has provided information to the Division, the facts, evidence, and issues will be reviewed in relation to the appropriate laws and regulations. A recommended resolution to the complaint will be written. The process can take several weeks depending on the complexity of issues in your complaint.

Must you comply with the resolution? No. You are not under the Division's jurisdiction, and the Division cannot provide you with legal advice.

Are your rights limited by the resolution? No. You have the right to pursue the matter yourself or with legal counsel regardless of how the Division handles the matter. **Note: the Division cannot act privately on your behalf.**

How do I complete the complaint form?

Answer all questions and complete the information blanks as accurately as possible.

Please print or write clearly and keep these things in mind:

- Be logical, fair, and objective: The Business will review your complaint description. Our experience is that inflammatory statements or derogatory comments only cause to further distance the parties and make a satisfactory resolution more difficult.
- Be concise: The fewer words you can use to describe the problem the better. Stick to the relevant facts. For example, it is important for the Division to know when you applied for a loan, but not necessarily the personal reasons why you needed a loan.
- Who, What, Where, When, Why, and How: Don't forget these clarifying facts. Especially the dates! In the regulatory context, dates are of paramount importance. If you have an accurate recollection of the day you received a specific disclosure or document... tell us. Did you retain something that will support this date? Show us. Who did what? Where were they when it happened? Remember, we must form an understanding based upon the facts you provide us, and then we must attempt to verify these facts.
- Documents are the key to any financial transaction. Carefully review the documents you were given and provide legible copies of those that support your claim to us. We are especially interested in disclosures or written statements you may have received from the Respondent. **Send us copies of your documentation, do NOT send originals unless we request them.**
- Be reasonable in your request for a resolution to the matter. The Division will make its resolution request based in law and regulation. However, a reasonable request of resolution by you may realize results from the Respondent before the Division even begins investigation.

How do I file my complaint?

To file a complaint with the Division, please complete the complaint form and send it to our office at the following address:

State of Montana
Department of Administration
Division of Banking and Financial Institutions
301 South Park, Suite 316
P.O. Box 200546
Helena, MT 59620-0546

You may also FAX your complaints to us at (406) 841-2930.

Is your complaint confidential? Generally, no. The documents and information you and business provide may be provided to the interested parties in the complaint; law enforcement, the Department of Justice or county attorney. If the Division refers your complaint to another agency, our policies do not govern the dissemination of requested items by that agency. Likewise, the Business is not required to comply with the Division's policy on records production.

What the Division can do for you

- The Division can advise you of the documentation you should expect to receive throughout the course of your transaction.
- The Division can contact the company and request a written response to your complaint.

What the Division cannot do for you

- The Division cannot give you legal advice, nor can we recommend an attorney to you.
- The Division cannot pursue redress on your behalf. You should always contact a private attorney who can advise you of your rights.

Contact information: You may contact our Division at (406) 841-2920. If you have documentation from the Division concerning your complaint, please reference the complaint number for greater efficiency in response.

State of Montana
Department of Administration
Division of Banking and Financial Institutions
P.O. Box 200546, Helena, MT 59620-0546
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Complaint Form
(Please read instructions before beginning.)

Against whom are you complaining?

Name of person you did business with

Company name

Company contact (if any)

Street or mailing address

Telephone #

City

State

Zip Code

Your information:

Name

Telephone # (day)

Street or mailing address

Telephone # (night)

City

State

Zip Code

Email address (optional)

Property address in question (if different from mailing address)

**What type of transaction did you conduct with the party named above
(e.g. loan, closing, etc.)?** _____

When did the transaction occur? (if multiple dates, provide **first date** and clarify additional dates
under description section) _____

[illegible][illegible]

Please complete this form and attach extra pages or material as needed and mail the completed form and attachments to:

State of Montana
Department of Administration
Division of Banking and Financial Institutions
301 South Park, Suite 316
P.O. Box 200546
Helena, MT 59620-0546

**REMEMBER: PLEASE SEND US COPIES OF ALL DOCUMENTATION.
DO NOT SEND ORIGINAL DOCUMENTS.**